

# Federal Defenders OF NEW YORK, INC.

Eastern District  
One Pierrepont Plaza, 16th Fl., Brooklyn, NY  
11201 Tel: (718) 330-1200 Fax: (718) 855-0760

Tamara L. Giwa  
*Executive Director and  
Attorney-in-Chief*

Michelle A. Gelernt  
*Attorney-in-Charge*

June 7, 2024

**Via ECF and Email**

The Honorable Eric Komitee  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: United States v. Christian Sidney Griffin, 22-CR-408 (EK)**

Your Honor:

I write to provide the Court with an update in support of Mr. Griffin's June 1, 2024 motion for compassionate release.

On June 5, 2024, the government provided defense counsel with a telephonic update on Mr. Griffin's follow-up medical treatment, including the status of the appointment for the ophthalmology consultation. Defense counsel learned that, despite Mr. Griffin's treatment plan from Brooklyn Hospital clearly providing for an ophthalmology consult one week after his treatment in the emergency room, the MDC has decided the consultation is unnecessary notwithstanding the fact that he sustained a fractured orbital bone.<sup>1</sup> The decision was apparently made by an optometrist who examined Mr. Griffin at the MDC almost three weeks after his injury. Tellingly, according to the government, the optometrist still observed swelling to Mr. Griffin's face at that time.

An optometrist is not a medical doctor and lacks the specialized training of an ophthalmologist. Given the clear referral to an ophthalmologist expressed by the treating clinicians, the MDC's decision to cancel the appointment based on the opinion of an optometrist is inappropriate. Counsel has not obtained updated medical records, but I do not believe additional scans were performed before making this determination. It is hard to imagine that the decision to cancel Mr. Griffin's appointment with an outside ophthalmologist was made purely for medical reasons, given the difficulty the MDC is experiencing with understaffing and chronic lockdowns. Mr. Griffin has a right to obtain adequate medical care and to ensure that he is receiving the best course of treatment. Such treatment shouldn't be denied because the MDC lacks the staffing to transport him to his appointments.

Additionally, on June 5, 2024, the government provided defense counsel with Mr.

---

<sup>1</sup> See Dkt. No 33, Ex. B at 57, 62, 70, and 71. (medical records reflecting the need for an ophthalmology consult and scheduling the appointment for May 23, 2024.

Griffin's Bureau of Prison's disciplinary records confirming that he has not sustained any disciplinary infractions during his current incarceration.

Given that the BOP now calculates Mr. Griffin's release date as June 23, 2024 and his request is to be released by June 9, 2024—only two weeks before that date, for the reasons set forth in the defendant's June 1, 2024 motion, we respectfully request that the Court grant the defendant's motion for compassionate release.

Respectfully submitted,

/s/

---

Michelle A Gelernt  
Attorney-in-Charge  
(718) 330-1204

cc: AUSA Lauren Bowman (by email and ECF)  
USPO Alecia Ogir